

HOUSE BILL No. 1245

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-7-2-33.8; IC 12-17.2-5-6.5.

Synopsis: Class II child care homes. Allows a class II child care home provider to care for not more than two foster care children in addition to the maximum number of children for whom the provider is otherwise allowed to provide care. Provides that a person seeking a license to operate a class II child care home is no longer required to: (1) reside in the child care home; or (2) apply for the license before July 1, 1996. Requires a class II child care home provider to have received at least a Child Development Association (CDA) credential or its equivalent. Requires a class II child care home to reasonably conform with the appearance of other homes in the residential area where the child care home is located unless zoning laws allow for the nonconformity.

Effective: July 1, 1999.

Crooks

January 11, 1999, read first time and referred to Committee on Human Affairs.



C
o
p
y

Introduced

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

HOUSE BILL No. 1245

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 12-7-2-33.8 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 33.8. (a) As used in this
3 chapter, "class II child care home" means a child care home that serves
4 more than twelve (12) children but not more than any combination of
5 sixteen (16) full-time and part-time children at any one (1) time **except**
6 **as provided in subsection (b) or (c).**

7 (b) A child:

8 (1) for whom a provider of care in the child care home is a parent,
9 stepparent, guardian, custodian, or other relative; and

10 (2) who is at least seven (7) years of age;
11 shall not be counted in determining whether the child care home is
12 within the limit set forth in subsection (a).

13 (c) **In addition to the number of children described in subsection**
14 **(a), a provider may care for not more than two (2) foster care**
15 **children in the child care home.**

16 SECTION 2. IC 12-17.2-5-6.5 IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 6.5. (a) To qualify for

1999

IN 1245—LS 6591/DI 76+



a license to operate a class II child care home under this chapter, a person must do the following:

(1) Provide all child care services on the first story of the child care home unless the class II child care home meets the exceptions to the first story requirements contained in the Indiana building code adopted by the fire prevention and building safety commission in effect at the time the class II child care home provider applies for licensure.

(2) Provide a smoke detection system that is:

(A) hard wired to the building's electrical system; and

(B) wired in a manner that activates all of the detector devices in the building when one (1) detector device is activated.

(3) Provide a fire extinguisher in each room that is used to provide child care services.

(4) Meet the exit requirements for an E-3 building occupancy classification under the Indiana building code adopted by the fire prevention and building safety commission in effect at the time the class II child care home provider applies for licensure.

(5) Provide a minimum of thirty-five (35) square feet for each child.

(6) Conduct fire drills required under article 37 of the Indiana fire prevention code adopted by the fire prevention and building safety commission in effect at the time the class II child care home provider applies for licensure.

~~(7) Reside in the child care home:~~

~~(8) Apply for a license before July 1, 1996:~~

~~(9) Furnish satisfactory evidence to the division that the individual has received at least a Child Development Association (CDA) credential or its equivalent, as determined by the division.~~

(8) Provide that the child care home reasonably conforms with the appearance of other homes in the residential area where the child care home is located, as determined by the division, unless zoning laws allow for the nonconformity.

(9) Comply with rules adopted by the division of family and children for class II child care homes.

(b) To qualify for a license to operate a class II child care home under this chapter, a person, before applying for the license, must have:

(1) a class I child care home license; or

(2) at least one (1) year of experience as a caregiver in a child care home or child care center.

C
o
p
y

